

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEW MEXICO

ANN GALLOWAY, an individual,

Plaintiff,

vs.

Civ. No. 14-0022 KG/KBM

MORTGAGE STRATEGIES GROUP, LLC;
FEDERAL NATIONAL MORTGAGE
ASSOCIATION AS TRUSTEE FOR
SECURITIZED TRUST FANNIE MAE
REMIC TRUST 2007-82; FANNIE MAE;
TIMOTHY MAYOPOULOS, individually;
JPMORGAN CHASE BANK, NA; JAMIE
DIMON, individually; BRIAN MCWHORTER,
Individually; MORTGAGE ELECTRONIC
REGISTRATION SYSTEM, aka "MERS";
BILL BECKMANN, individually; and DOES
1 THROUGH 100, INCLUSIVE,

Defendants.

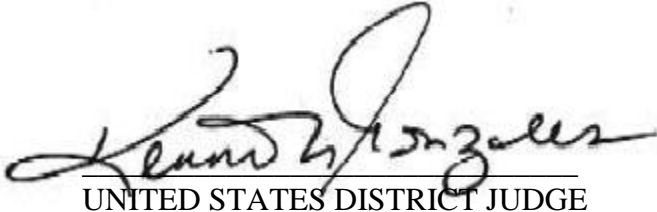
ORDER

This matter comes before the Court upon Defendants JPMorgan Chase Bank, NA; Federal National Mortgage Association as Trustee for Securitized Trust Fannie Mae REMIC Trust 2007-82; Fannie Mae; Jamie Dimon, individually; Timothy Mayopoulos, individually; Brian McWhorter, individually; and Mortgage Electronic Registration System's Motion for a More Definite Statement and to Strike, filed March 21, 2014. (Doc. 11). These Defendants "request that the Court order Plaintiff to filed an amended complaint within fourteen days that more specifically identifies the claims she is pursuing, and further requests that the Court issue an order striking the extensive portions of the Complaint copied from the internet that are not relevant to her case." *Id.* at 1-2. Plaintiff, appearing *pro se*, has not responded to the Motion for

a More Definite Statement and to Strike as required by D.N.M. LR-Cv 7.4(a) (“A response must be served and filed within fourteen (14) calendar days after service of the motion.”). The Local Rules provide that “[t]he failure of a party to file and serve a response in opposition to a motion within the time prescribed for doing so constitutes consent to grant the motion.” D.N.M. LR-Cv 7.1(b). Since Plaintiff has failed to respond to the Motion for a More Definite Statement and to Strike “within the time prescribed for doing so,” the Court determines that Plaintiff consents to granting the Motion for a More Definite Statement and to Strike.

IT IS, THEREFORE, ORDERED that the Motion for a More Definite Statement and to Strike (Doc. 11) is granted in that:

1. on or before May 9, 2014, Plaintiff must amend her complaint (Doc. 1) to cure all of the deficiencies and concerns identified in the Motion for a More Definite Statement and to Strike;
2. the request to strike portions of the original complaint is denied as moot because the Court is ordering Plaintiff to amend her complaint; and
3. failure to comply with this Order will result in a dismissal of this lawsuit.


UNITED STATES DISTRICT JUDGE